

REMARKS

Claims 11-18, 20, 21 and 25-29 have been examined. Claims 11-18, 20, 21, and 25-29 have been rejected under 35 U.S.C. 112, second paragraph, claims 11, 12, 14-18, 21, and 25-29 have been rejected under 35 U.S.C. § 102(b), and claims 13 and 20 have been rejected under 35 U.S.C. § 103(a).

I. Rejection under 35 U.S.C. 112, second paragraph

The Examiner has rejected claims 11-18, 20, 21 and 25-29 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

The Examiner continues to maintain that the claimed position of the reference hole of claims 11, 15 and 16 is inaccurate since the reference holes 10a and 10b are allegedly disclosed as being in side surfaces of the cartridge. Applicant previously referred the Examiner to the non-limiting embodiment of Figure 4, where reference holes 10a and 10b are shown on either a top or bottom surface of the cartridge 10, not on a side surface. In response to Applicant's arguments, the Examiner maintains that the Applicant's specification does not preclude the claimed surface as being a "side" surface since the specification uses the terms "upper side" (pg. 5 of Office Action).

Applicant submits that the Examiner's interpretation appears overly broad. Nevertheless, Applicant hereby amends claims 11, 15 and 16 for clarification. Such amendments clearly define the claimed positions of the features in such a manner that the recitations are not indefinite.

II. Rejection under 35 U.S.C. § 102(b) over U.S. Application No.: 3,655,145 to Olsen (“Olsen”).

The Examiner has rejected claims 11, 12, 14-18, 21 and 25-29 under 35 U.S.C. § 102(b) as allegedly being anticipated by Olsen.

A. Claim 11

Previously, the Examiner maintained that the slot 88 of Olsen discloses the claimed reference hole. In the current Office Action, the Examiner maintains that any one of holes 88, 68, 70 or 32 can disclose the claimed reference hole. Claim 11 currently recites, however, “wherein said surface of said cartridge case that is provided with said reference hole is perpendicular to a rotary axis of said single reel housed in said cartridge.”

Applicant again submits that slot 88 of Olsen fails to teach or suggest the claimed reference hole. For example, as shown in Figs. 1 and 6 of Olsen, slot 88 is disposed in a side surface, i.e., forward wall 26, that is *parallel* to a rotary axis of the reel 40, rather than *perpendicular* to the rotary axis as recited in claim 11 (Fig. 1; col. 2, lines 1-3; col. 3, lines 21-24).

Claim 11 also recites that the reference hole is provided along a periphery of the claimed surface. In regard to the alleged reference holes 68 and 70 of Olsen, Applicant notes that hole 68 is an access opening at the center of the casing wall 28 for gaining access to the opening 70 of the hub 60 of the reel 40 (Fig. 1; col. 2, lines 34-42). As shown, such holes are not provided

along a periphery of the claimed surface. Finally, in regard to holes 32 of Olsen, Applicant submits that such holes are threaded wells for retaining the screws 34 (Fig. 1; col. 2, lines 4-8). Accordingly, the wells 32 correspond to the claimed screw hole rather than the claimed reference hole.

At least based on the foregoing, Applicant submits that claim 11 is patentable over the cited reference.

B. Claims 12, 14 and 25

Applicant submits that claims 12, 14 and 25 are patentable at least by virtue of their dependency upon claim 11.

C. Claims 15 and 16

Since claims 15 and 16 contain features that are analogous to the features recited in claim 11, Applicant submits that claims 15 and 16 are patentable for at least analogous reasons as claim 11.

D. Claims 17, 18, 21 and 26

Applicant submits that claims 17, 18, 21 and 26 are patentable at least by virtue of their dependency upon claim 16.

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III. Rejection under 35 U.S.C. § 103(a) over Olsen.

The Examiner has rejected claims 13 and 20 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Olsen. However, since claims 13 and 20 are dependent upon one of claims 11 or 16, Applicant submits that such claims are patentable at least by virtue of their dependency.

IV. Newly Added Claims

By this Amendment, Applicant has added new claims 30-32 to provide more varied protection of the present invention.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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